

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE CITY OF NEW YORK,

Plaintiff,

v.

WILLIAM P. BARR, in his official capacity as Acting Attorney General of the United States, and the UNITED STATES DEPARTMENT OF JUSTICE,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC # _____
DATE FILED: 8/19/2019

CIVIL ACTION NO. 1:18-cv-06474
(Judge Ramos)

STIPULATION

Plaintiff the City of New York (“Plaintiff”), and Defendants William P. Barr and the United States Department of Justice (“Defendants”), do HEREBY STIPULATE AND AGREE as follows:

1. This stipulation shall remain in effect for a period of 60 days from the date hereof, *i.e.*, until October 12, 2019. On October 12, 2019, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the “extension term”), except in the case that Defendants give notice to Plaintiff 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term;

2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year (“FY”) 2018 Edward Byrne Memorial Justice Assistance Grant (“Byrne JAG”) funds allocated to Plaintiff; and
3. For the duration of this stipulation, Defendants shall not deny Plaintiff its FY 2018 Byrne JAG award (in keeping with its FY 2018 Byrne JAG formula allocation) on the basis of failure to accept the FY 2018 Byrne JAG award within 45 days of receiving the award documents;
4. If this stipulation is in effect at the time a resolution of this matter on the merits is reached, Defendants shall not deny Plaintiff its FY 2018 Byrne JAG award for failure to accept the award within the deadline to accept without first advising Plaintiff in writing of a new period (of not less than 45 days) within which to accept and allowing that period to expire. If after a determination on the merits, Plaintiff remains eligible for an FY 2018 Byrne JAG award and the Court’s order does not require alteration of the award documents, Defendants will issue a new deadline within 7 days;
5. This stipulation replaces the Stipulation and Order previously entered and agreed between the Defendants and Plaintiff (ECF No. 96), which is no longer in effect; and
6. This stipulation applies only to the parties that are currently before the Court in this litigation. No party that is not currently named as a party to this litigation shall be entitled to any rights or benefits whatsoever under this stipulation.

IT IS STIPULATED AND AGREED.

DATED: August 13, 2019

By: /s/ Meryl Holt
Meryl Holt
DEBEVOISE & PLIMPTON, LLP
919 Third Avenue, 3rd Floor
New York, NY 10022
Phone: (212) 909-6000
mholt@debevoise.com

Counsel for Plaintiff

By: /s/ Daniel D. Mauler
Daniel D. Mauler
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
950 Pennsylvania Ave, NW, Rm. No. 6141
Washington, DC 20530
Phone: (202) 616-0773
Fax: (202) 616-8470
Dan.mauler@usdoj.gov

Counsel for Defendants

SO ORDERED:



Edgardo Ramos, U.S.D.J.

Dated: 8/19/2019

New York, New York